

Appl. No. 10/082,405  
Amdt. Dated December 9, 2005  
Reply to Office Action of September 9, 2005

Docket No. CM04695H  
Customer No. 22917

### REMARKS/ARGUMENTS

Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kent, (USPN 5,659,881). Applicants respectfully traverse the rejection.

Neither the patents cited in the Office Action, nor any other evidence of record, establish a prima facie case of obviousness. Filed herewith is a 37 CFR § 1.132 Declaration of Mark P. Zollner, an expert in the filed of wireless communications. The facts set forth in Mr. Zollner's declaration establish that the Kent reference relied on by the Examiner does not, in fact, teach one of ordinary skill in the art what the Examiner opines it teaches.

Accordingly, withdrawal of the rejection and early allowance of the claims are requested. In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

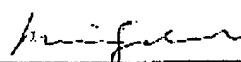
Accordingly, this application is believed to be in proper form for allowance and an early notice of allowance is respectfully requested.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,

SEND CORRESPONDENCE TO:

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